

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

<b>(1) DEPARTMENT</b> General Services	<b>(2) MEETING DATE</b> 9/15/2015	<b>(3) CONTACT/PHONE</b> Marvin Rose, Interim Director General Services Shauna Dragomir, Real Property Manager (805) 781-5200	
<b>(4) SUBJECT</b> Request to approve the Reciprocal Access and Parking Agreement with Hotel Park Business & Professional Center Association, Inc., and The Atascadero Historical Society, Inc., to memorialize terms, responsibilities, and proportionate allocation of the shared costs to maintain and repair the common driveway and parking lots to serve, in part, the County's North County One Stop Service Center at 6555 Capistrano Avenue in Atascadero. District 5.			
<b>(5) RECOMMENDED ACTION</b> It is recommended that the Board: <ol style="list-style-type: none"> <li>1. Approve the Reciprocal Access and Parking Agreement with Hotel Park Business &amp; Professional Center Association, Inc., and The Atascadero Historical Society, Inc., to finalize terms, responsibilities, and proportionate allocation of the shared costs to maintain and repair the Reciprocal Driveway and Parking Lots Easement to serve the North County One Stop Service Center at 6555 Capistrano Avenue in Atascadero.</li> <li>2. Direct the Chairperson to sign the Reciprocal Access and Parking Agreement.</li> <li>3. Direct the Clerk to record the Reciprocal Access and Parking Agreement.</li> </ol>			
<b>(6) FUNDING SOURCE(S)</b> General Services Department – General Fund 11305 in Support of General Fund Departments: Assessor, Clerk-Recorder, Planning and Building Library Department – Fund 337	<b>(7) CURRENT YEAR FINANCIAL IMPACT</b> General Services Department – 32% of County Parcel's Proportionate Shares in Support of General Fund Departments: Assessor, Clerk-Recorder, Planning and Building Library Department – 68% of County Parcel's Proportionate Shares	<b>(8) ANNUAL FINANCIAL IMPACT</b> \$0.00	<b>(9) BUDGETED?</b> Yes
<b>(10) AGENDA PLACEMENT</b> <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____ ) <input type="checkbox"/> Board Business (Time Est. ____ )			
<b>(11) EXECUTED DOCUMENTS</b> <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
<b>(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)</b> N/A		<b>(13) BUDGET ADJUSTMENT REQUIRED?</b> BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
<b>(14) LOCATION MAP</b> Attached	<b>(15) BUSINESS IMPACT STATEMENT?</b> No	<b>(16) AGENDA ITEM HISTORY</b> <input type="checkbox"/> N/A    Date: <u>10/14/2010, 11/09/2010, 12/14/2010, 01/06/2015</u>	
<b>(17) ADMINISTRATIVE OFFICE REVIEW</b> David E. Grim			
<b>(18) SUPERVISOR DISTRICT(S)</b> District 5			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: General Services / Marvin Rose, Interim Director General Services  
Shauna Dragomir, Real Property Manager  
(805) 781-5200

DATE: 9/15/2015

SUBJECT: Request to approve the Reciprocal Access and Parking Agreement with Hotel Park Business & Professional Center Association, Inc., and The Atascadero Historical Society, Inc., to memorialize terms, responsibilities, and proportionate allocation of the shared costs to maintain and repair the common driveway and parking lots to serve, in part, the County's North County One Stop Service Center at 6555 Capistrano Avenue in Atascadero. District 5.

## **RECOMMENDATION**

It is recommended that the Board:

1. Approve the Reciprocal Access and Parking Agreement with Hotel Park Business & Professional Center Association, Inc., and The Atascadero Historical Society, Inc., to memorialize terms, responsibilities, and proportionate allocation of the shared costs to maintain and repair the Reciprocal Driveway and Parking Lots Easement to serve the North County One Stop Service Center at 6555 Capistrano Avenue in Atascadero.
2. Direct the Chairperson to sign the Reciprocal Access and Parking Agreement.
3. Direct the Clerk to record the Reciprocal Access and Parking Agreement.

## **DISCUSSION**

On December 14, 2010, the Board approved the purchase of a 22,000 square foot building at 6555 Capistrano Avenue in Atascadero (APN: 029-363-048, "County Parcel"), to serve the growing needs of North County and the Atascadero community. The building interior was improved and is currently used as the Atascadero Library and functions as the "North County One Stop Service Center" which also includes the County Assessor, County Planning and Building, and County Clerk-Recorder. On January 6, 2015, the Board approved the Resolution Authorizing Execution of Notice of Completion and Acceptance for construction of the facility.

Parking for County employees and the public at the North County One Stop Service Center consists of a shared parking lot with three bordering parcels. The Hotel Park Business & Professional Center Association, Inc. owns the parcel known as APN: 029-363-046 ("Parcel 1"). The Atascadero Historical Society, Inc. owns the parcels known as APN: 029-363-049 ("Parcel 2") and APN: 029-363-050 ("Parcel 3"). See Attachment 1 for a Location Map and Attachment 2 for an Assessor's Parcel Map.

The Reciprocal Access and Parking Agreement grants to each other owner a nonexclusive ingress, egress and parking easement ("Reciprocal Driveway and Parking Lots Easement"), and finalizes the terms, responsibilities, and proportionate allocation of the shared costs of maintenance and repair associated with the Reciprocal Driveway and Parking Lots Easement, including the common area driveway, parking lots, landscaping, exterior ADA lift, utility payments, and parking lot lighting. The Reciprocal Access and Parking Agreement was a requirement of the City of Atascadero upon acceptance of the underlying Final Map 2004-0074 (Tract 1858-2) and it was to be recorded with the deed to each parcel at the time they were first conveyed. Following much negotiation, the owners of the Parcels have now mutually agreed to terms as

memorialized in the Reciprocal Access and Parking Agreement (Attachment 3).

The Reciprocal Access and Parking Agreement defines the Reciprocal Driveway and Parking Lot Easement and details the proportionate allocation of the shared costs of the maintenance and repair of the above items, as described below.

#### Maintenance and Repair of Driveway and Parking Lots

Costs for maintenance and repair of the reciprocal driveway and parking lots have not yet been incurred. Future maintenance and repair costs for the reciprocal driveway and parking lots shall be shared as follows:

- County Parcel: 33 1/3%
- Parcel 1: 33 1/3%
- Parcels 2 & 3: 33 1/3%

Therefore, County Parcel shall bear the financial responsibility of 33 1/3% of future maintenance and repairs costs of the reciprocal driveway and parking lots.

#### Landscaping Maintenance

Costs to maintain and replace, as necessary, the landscaping in the reciprocal driveway and shared parking lots area will be shared in accordance with the amount of shared parking lot landscaping on each parcel, as follows:

- County Parcel: 37.5%
- Parcel 1: 37.5%
- Parcels 2 & 3: 25%

Therefore, County Parcel shall bear the financial responsibility of 37.5% of future maintenance and replacement costs of landscaping.

#### Maintenance and Repair of Exterior ADA Lift

The exterior ADA lift was installed as a requirement by the City of Atascadero, under California State Code Section 1127B, to provide access from the sidewalk level to the parking lot level of the shared parking lots area. The exterior ADA lift was not a condition of development of Parcel 1, but was a condition of development for County Parcel and Parcels 2 and 3. Costs to maintain and repair the exterior ADA lift will be shared as follows:

- County Parcel: 50%
- Parcels 2 & 3: 50%

Therefore, County Parcel shall bear the financial responsibility of 50% of future maintenance and repair costs of the exterior ADA lift.

#### Utility Payments and Parking Lot Lighting

Each parcel Owner will be responsible for the utility payments (electric and water) for the parking lots and driveway located within their Parcel boundaries only, which have been and will continue to be separately metered.

#### **OTHER AGENCY INVOLVEMENT/IMPACT**

The Reciprocal Access and Parking Agreement impacts the County Library Department, and the General Services Department in support of the following General Fund Departments: County Assessor, County Clerk-Recorder, and County Planning and Building, for their respective offices located at the North County One Stop Service Center in Atascadero. The General Services Department, Real Property Services division is the primary contact with the Hotel Park Business and Professional Center Association, Inc. and The Atascadero Historical Society, Inc., for negotiations and administering payments in accordance with the shared costs described herein. The Reciprocal Access and Parking Agreement has been reviewed and approved by the County Library Director, and has been reviewed and approved by County Counsel as to form and legal effect.

## **FINANCIAL CONSIDERATIONS**

Prior to approval of the Reciprocal Access and Parking Agreement, the County has borne all of the costs of maintenance and repairs to the exterior ADA lift, and the County has shared the total costs of Landscaping Maintenance 50/50 with the owner of Parcel 1. Once the Board approves the Reciprocal Access and Parking Agreement, the owner of Parcels 2 and 3 will now share in these costs, which will result in an overall decrease of County's overall proportionate allocation of shared costs. None of the parties, including the County, have incurred costs for the Maintenance and Repair of Driveway and Parking Lots to date. However, future costs will be shared as described above.

The County's proportionate allocations of shared costs relative to County Parcel only, are outlined below.

### **Maintenance and Repair of Driveway and Parking Lots**

County Parcel proportionate allocation:	33 1/3% of total costs
Library Department's share from Library Department Fund 377:	68% of County Parcel proportionate allocation
General Services' share from General Fund 11305 in Support of the General Fund Departments of Assessor, Clerk-Recorder, Planning and Building:	32% of County Parcel proportionate allocation

### **Landscaping Maintenance**

County Parcel proportionate allocation:	37.5% of total costs, estimated at approximately \$656.00 per month
Library Department's share from Library Department Fund 377:	68% of County Parcel proportionate allocation, estimated at approximately \$446.00 per month
General Services' share from General Fund 11305 in Support of the General Fund Departments of Assessor, Clerk-Recorder, Planning and Building:	32% of County Parcel proportionate allocation, estimated at \$210.00 per month.

### **Exterior ADA Lift**

County Parcel proportionate allocation:	50% of total costs, estimated at approximately \$51.00 per month
Library Department's share from Library Department Fund 377:	68% of County Parcel proportionate allocation, estimated at approximately \$38.22 per month.
General Services' share from General Fund 11305 in Support of the General Fund Departments of Assessor, Clerk-Recorder, Planning and Building:	32% of County Parcel proportionate allocation, estimated at \$17.99 per month.

## **RESULTS**

The Board's approval of the Reciprocal Access and Parking Agreement will finalize the terms and responsibilities for parking lot maintenance, repairs and the associated costs for the reciprocal driveway and parking lots to serve the North County One Stop Service Center. The Reciprocal Access and Parking Agreement will be effective upon the Board's approval and shall run with the land and bind successive owners of the Parcels, for the benefit of each owner of such Parcels.

Approval of the Reciprocal Access and Parking Agreement will allow the Library Department, Assessor, Clerk-Recorder, and Planning and Building staff as well as the general public to continue to use the shared driveway parking lots at 6555 Capistrano Avenue in Atascadero. The public and staff will benefit from having convenient access to the County offices in Atascadero, including ADA access. This action supports the County's desired community-wide results of a livable community.

## **ATTACHMENTS**

1. Location Map
2. Assessor's Parcel Map
3. Reciprocal Access and Parking Agreement